

REMARKS

Claims 1-19 are pending in this application. Claims 1-19 are rejected. Claims 1, 6, 15 and 19 are amended hereby. Claims 3, 4, 8 and 9 are canceled hereby. Claims 20 and 21 are added hereby.

Responsive to the objection to the disclosure, Applicant has amended the specification keeping in mind the comments of the Examiner. Applicant respectfully submits that the specification is in allowable form.

Responsive to the rejection of claims 12 and 13 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement, Applicant respectfully traverses this rejection. Applicant respectfully submits that all of an axis 60 transverse to a longitudinal direction 58 of aperture 56 are described in the specification and shown in the drawings. The Examiner appears to have interpreted the word “transverse” to mean perpendicular. However, the word “transverse” is commonly understood to mean situated or lying across; athwart; crosswise; which is a much broader term than perpendicular (*The American Heritage Dictionary of the English Language*, Houghton Mifflin, 1978). In particular, the word “transverse” does not require an intersection between the longitudinal axis of the clamp aperture and the leg axis, or a 90° angle between the same. As all of an axis 60 transverse to a longitudinal direction 58 of aperture 56 are described in the specification and shown in the drawings, as claimed in claims 12 and 13 and commonly understood, Applicant respectfully submits that the written description requirement is met by the present application as filed.

Responsive to the rejection of claims 12 and 13 under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement, Applicant respectfully traverses this rejection. Applicant respectfully submits that all of an axis 60 transverse to a longitudinal direction 58 of

aperture 56 are described in the specification and shown in the drawings. The Examiner appears to have interpreted the word “transverse” to mean perpendicular. However, the word “transverse” is commonly understood to mean situated or lying across; athwart; crosswise; which is a much broader term than perpendicular (*The American Heritage Dictionary of the English Language*, Houghton Mifflin, 1978). In particular, the word “transverse” does not require an intersection between the longitudinal axis of the clamp aperture and the leg axis, or a 90° angle between the same. As all of an axis 60 transverse to a longitudinal direction 58 of aperture 56 are described in the specification and shown in the drawings, as claimed in claims 12 and 13 and commonly understood, Applicant respectfully submits that the enablement requirement is met by the present application as filed.

Responsive to the rejection of claims 12 and 13 under 35 U.S.C. § 112, second paragraph, as being indefinite, Applicant respectfully traverses this rejection. Applicant respectfully submits that all of an axis 60 transverse to a longitudinal direction 58 of aperture 56 are described in the specification and shown in the drawings. The Examiner appears to have interpreted the word “transverse” to mean perpendicular. However, the word “transverse” is commonly understood to mean situated or lying across; athwart; crosswise; which is a much broader term than perpendicular (*The American Heritage Dictionary of the English Language*, Houghton Mifflin, 1978), (“Breadth of a claim is not to be equated with indefiniteness.”, MPEP 2173.04). In particular, the word “transverse” does not require an intersection between the longitudinal axis of the clamp aperture and the leg axis, or a 90° angle between the same. As all of an axis 60 transverse to a longitudinal direction 58 of aperture 56 are described in the specification and shown in the drawings, as claimed in claims 12 and 13 and commonly understood, Applicant respectfully submits that claims 12 and 13 are definite and in allowable form.

Responsive to the rejection of claims 1-3, 6-8, 15, 16, 18 and 19 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,235,997 (Stoner), Applicant has amended claims 1, 6 and 15, and has canceled claims 3 and 8, and submits that claims 1, 2, 6, 7, 15, 16, 18 and 19 are now in condition for allowance.

Stoner '997 discloses a snap-on bipod 12 (Figs. 2-5) which includes legs 20, 22 with brackets 24, 26 which are connected together for rotation about an axis 28 by way of pin 30 (column 2, lines 64-70). Above pivot axis 28, brackets 24, 26 include jaws 32, 34 which are urged toward one another by compression spring 36 (column 2, line 70 through column 3, line 3). Typically, the legs include upper elongated hollow member 37 and lower elongated hollow member 38 (column 3, lines 4-9). A spring loaded latch 86 is mounted in the lower member 38 and is releasably engageable with notches 52 in upper member 37 for locking the members in selected extended positions (column 3, lines 62-65).

In contrast, claim 1, as amended, recites in part:

a clampable bipod including a clamp which is releasably clamped to at least one of said barrel, said rail and said stock, and a first leg and a second leg connected to said clamp, said clamp including a plurality of jaws, and a fulcrum between said plurality of jaws and both said first leg and said second leg, said clamp including a first arm connected to said first leg and a second arm connected to said second leg, said first arm including a first cam surface and said second arm including a second cam surface, said fulcrum being provided by said first cam surface in contact with said second cam surface.

(Emphasis added.) Applicant submits that such an invention is neither taught, disclosed nor suggested by Stoner '997 or any of the other cited references, alone or in combination, and has distinct advantages thereover.

In further contrast, claim 6, as amended, recites in part:

a first leg and a second leg; and a clamp connected to said first leg and said second leg, said clamp including a plurality of jaws, and a fulcrum between said plurality of jaws and both said first leg and said second leg, said clamp including a first arm

connected to said first leg and a second arm connected to said second leg, said first arm including a first cam surface and said second arm including a second cam surface, said fulcrum being provided by said first cam surface in contact with said second cam surface.

(Emphasis added.) Applicant submits that such an invention is neither taught, disclosed nor suggested by Stoner '997 or any of the other cited references, alone or in combination, and has distinct advantages thereover.

In further contrast, claim 15, as amended, recites in part:

clamping said clampable bipod to at least one of said barrel, said rail and said stock, said clampable bipod including a clamp connected to both a first leg and a second leg said clamp, said clamp including a plurality of jaws, and a fulcrum between said plurality of jaws and both said first leg and said second leg, said clamp including a first arm connected to said first leg and a second arm connected to said second leg, said first arm including a first cam surface and said second arm including a second cam surface, said fulcrum being provided by said first cam surface in contact with said second cam surface.

(Emphasis added.) Applicants submit that such an invention is neither taught, disclosed nor suggested by Stoner '997 or any of the other cited references, alone or in combination, and has distinct advantages thereover.

Stoner '997 discloses a snap-on bipod which includes two legs with brackets which are connected together for rotation about an axis by way of a pin. A cam surface is generally understood to be an eccentric or multiply curved surface, whereas Stoner '997 discloses brackets which are connected together for rotation about an axis by way of a pin. Stoner '997 fails to disclose or suggest a fulcrum between the plurality of jaws and both the first leg and the second leg where the fulcrum is provided by the first cam surface in contact with the second cam surface.

An advantage of the present invention is that it provides a more positive locking of the bipod to the firearm.

For all of the foregoing reasons, Applicant submits that claims 1, 6 and 15, and claims 2, 7, 16, 18 and 19 depending therefrom, are now in condition for allowance, which is hereby respectfully requested.

Responsive to the rejection of claims 5 and 10 under 35 U.S.C. § 103(a) as being obvious by U.S. Patent No. 3,235,997 (Stoner) in view of European Patent No. 0 088 011 A1 (Crepin), Applicant has amended claims 1 and 6 as described above, and submits that claims 5 and 10 are now in condition for allowance. The amendment to claims 1 and 6 described above distinguish claims 1 and 6, and any dependent claims including claims 5 and 10, from the prior art including Stoner '997 and Crepin '011.

For all of the foregoing reasons, Applicant submits that claims 5 and 10 are now in condition for allowance, which is hereby respectfully requested.

Responsive to the rejection of claim 14 under 35 U.S.C. § 103(a) as being obvious by U.S. Patent No. 3,235,997 (Stoner) in view of either U.S. Patent No. 3,235,998 (Hadley) or U.S. Patent No. 5,406,732 (Peterson), Applicant has amended claim 6 as described above, and submits that claim 14 is now in condition for allowance. The amendment to claim 6 described above distinguishes claim 6, and any dependent claims including claim 14, from the prior art including Stoner '997, Hadley '998 and Peterson '732.

For all of the foregoing reasons, Applicant submits that claim 14 is now in condition for allowance, which is hereby respectfully requested.

Responsive to the rejection of claims 1-4, 6-9, 15, 16, 18 and 19 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,397,112 (York), Applicant has amended claims 1, 6 and 15 as described above, and has canceled claim 3, 4, 8 and 9, and submits that claims 1, 2, 6, 7, 15, 16, 18 and 19 are now in condition for allowance. The amendment to claims 1, 6 and 15

described above distinguish claims 1, 6 and 15, and any dependent claims including claims 2, 7, 16, 18 and 19, from the prior art including York '112.

For all of the foregoing reasons, Applicant submits that claims 1, 6 and 15, and claims 2, 7, 16, 18 and 19 depending therefrom, are now in condition for allowance, which is hereby respectfully requested.

Responsive to the rejection of claims 1, 2, 6, 7 and 12-19 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,470,216 (Harris), Applicant has amended claims 1, 6 and 15 as described above, and submits that claims 1, 2, 6, 7 and 12-19 are now in condition for allowance. The amendment to claims 1, 6 and 15 described above distinguish claims 1, 6 and 15, and any dependent claims including claims 2, 7, 12-14 and 16-19, from the prior art including Harris '216.

For all of the foregoing reasons, Applicant submits that claims 1, 6 and 15, and claims 2, 7, 12-14 and 16-19 depending therefrom, are now in condition for allowance, which is hereby respectfully requested.

Responsive to the rejection of claims 1, 2, 6, 7 and 11-19 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 2,807,904 (Kreske), Applicant has amended claims 1, 6 and 15 as described above, and submits that claims 1, 2, 6, 7 and 11-19 are now in condition for allowance. The amendment to claims 1, 6 and 15 described above distinguish claims 1, 6 and 15, and any dependent claims including claims 2, 7, 11-14 and 16-19, from the prior art including Kreske '904.

For all of the foregoing reasons, Applicant submits that claims 1, 6 and 15, and claims 2, 7, 11-14 and 16-19 depending therefrom, are now in condition for allowance, which is hereby respectfully requested.

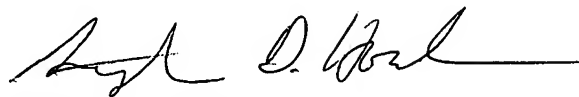
Applicant has added claims 20 and 21 to further protect the patentable subject matter of the present application, and submits that such an invention is neither taught, disclosed nor suggested by the cited references, alone or in combination, and has distinct advantages thereover. In particular, the cited references fail to disclose or suggest at least an adjustable compression device connected to the clamp, where the adjustable compression device is interposed between the plurality of jaws and the fulcrum. An advantage of the present invention is that it provides a more positive locking of the bipod to the firearm. For all of the foregoing reasons, Applicant submits that claims 20 and 21 are now in condition for allowance, which is hereby respectfully requested.

For the foregoing reasons, Applicant submits that the pending claims are definite and do particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Moreover, Applicant submits that no combination of the cited references teaches, discloses or suggests the subject matter of the amended claims. The pending claims are therefore in condition for allowance, and Applicant respectfully requests withdrawal of all rejections and allowance of the claims.

In the event Applicant has overlooked the need for an extension of time, an additional extension of time, payment of fee, or additional payment of fee, Applicant hereby conditionally petitions therefor and authorizes that any charges be made to Deposit Account No. 20-0095, TAYLOR & AUST, P.C.

Should any question concerning any of the foregoing arise, the Examiner is invited to telephone the undersigned at (260) 897-3400.

Respectfully submitted,



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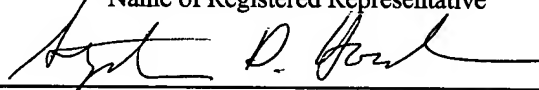
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on: January 26, 2005.

Stephen D. Horchem, Reg. No. 53,035

Name of Registered Representative



Signature

January 26, 2005

Date